

## REMARKS

The present application includes claims 1-20, all of which have been rejected. By this Amendment, claims 1-14 have been amended, while claims 21 and 22 have been added.

The specification has been amended to indicate that the present application is a division of the application that issued as United States Patent No. 6,823,207.

Claims 1-13 stand rejected under 35 U.S.C. 101. These claims have been amended, thereby rendering this rejection moot.

Claims 1-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2002/0023067 ("Garland") in view of U.S. 6,470,207 ("Simon"). The Applicants respectfully traverse this rejection for at least the following reasons.

The Office Action asserts that Garland discloses all the limitations of claims 1 and 14, except for "combining navigation coordinate determination with the image acquisition process." *See* July 2, 2009 Office Action at pages 3-4. However, as explained below, Garland also does not describe, teach or suggest, "a plurality of **navigation subsystem** to imaging subsystem messages; and a Begin Imaging and an End Imaging message ... included in imaging subsystem to **navigation subsystem messages**," as recited, for example, in claim 1.

Garland, on the other hand, discloses an "integrated system and method for the display of radiological images and patient records." *See* Garland at [0002]. Garland discloses "patient record terminals 102 [that] are primarily used to display a plurality of patient records 120 including, for example, general patient information, insurance and billing records, radiological reports, charts, studies, and the like." *See id.* at [0035]. A "query/retrieve module 302 is used to search the image

archive 118 for images 122 associated with the currently displayed patient record 120.” *See id.* at [0056].

While Garland discloses the display of images and patient records, Garland does not describe, teach or suggest navigation subsystem to imaging subsystem messages, or vice versa, contrary to the assertion in the Office Action. Indeed, Garland does not even describe, teach or suggest a navigation subsystem.

Therefore, the Office Action has not shown that the cited references describe, teach or suggest “a plurality of **navigation subsystem to imaging subsystem messages**; and a Begin Imaging and an End Imaging message ... included in **imaging subsystem to navigation subsystem messages**,” as recited in claim 1, or “realizing in a **navigation subsystem** a plurality of **navigation subsystem to imaging subsystem messages**; realizing in the imaging subsystem a Begin Imaging and an End Imaging message ..., the Begin Imaging and End Imaging messages included in **imaging subsystem to navigation subsystem messages**; formatting the End Imaging message according to a predetermined message header format common to a plurality of the **navigation subsystem to imaging subsystem messages** and the **imaging subsystem to navigation subsystem messages**; and transmitting the End Imaging message from the imaging subsystem to **the navigation subsystem**,” as recited in claim 14. For at least these reasons, the Applicants respectfully request reconsideration of the claim rejections.

New claims 21 and 22 have been added. The fee for these new claims is \$104 (2 dependent claims X \$52/claim).

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not

address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully request reconsideration of the claim rejections for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney.

The Commissioner is authorized to charge any necessary fees, **including the \$104 fee for the new claims**, or credit any overpayment to the Deposit Account 070845.

Respectfully submitted,

Date: July 24, 2009

/Joseph M. Butscher/  
Joseph M. Butscher  
Registration No. 48,326

MCANDREWS, HELD & MALLOY, LTD.  
500 West Madison Street, 34th Floor  
Chicago, Illinois 60661  
Telephone: (312) 775-8000  
Facsimile: (312) 775-8100